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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,736	02/28/2000	Claudine Kam	SMTC-01001US0WSW/PPT	8641

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EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/514,736

Applicant(s)

KAM ET AL.

Examiner

Frantzy Poinvil

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13,14 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13,14 and 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13-14 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rome et al (US Patent No. 6,337,901) in view of Bardenhuer et al. (US Patent No. 6,084,953).

As per claims 13 and 14, Rome et al. disclose a customer billing relationships software for billing customers of a retail telephone service provider purchasing wholesale telephone lines. The system produces and maintains billing records for all end users or residential or business customers. Note column 2, lines 1-22 of Rome et al. The system receives wholesale billing information, manipulates the wholesale information and identifies customer's billing data. Note column 2, lines 33-37. Rome et al does not explicitly state generating tabulated data from the identified portion of the accessed wholesale billing data. Rome et al do not explicitly illustrate a table having billing data. However, the Examiner asserts that customers billing records are usually generated in the form of a table indicating usage time, date and telephone number a call was placed. The generated table is outputted in a manner to include certain information in a preferred manner. See figures 7 and 8 of Bardenheuer et al. Performing the same in the system of Rome et al would have been obvious to one of ordinary skill in the art in order to provide the end-users with a detailed summary of their periodic billing record. Rome et al also does not

Art Unit: 3628

explicitly teach a comparator configured to compare the tabulated data with the reseller's internal billing information. Such would have been obvious to one of ordinary skill in the art at the time the invention was made in order to ensure that the reseller's billing information regarding a particular customer accurately match that accessed from the wholesale billing information. The tabulated data and the wholesale billing data are noted to be in different format. The phrase "so as to correctly bill the customer" is regarded as an intended use as the purpose of the system of Rome et al and the instant invention relates to correctly bill a customer.

As per claims 16 and 17, billing customers periodically based upon monthly recurring charges as well as dynamic charges are well known in the art. Providing usage summary and toll usage details in customer's billing information of Rome et al would have been obvious to one of ordinary skill in the art in order to provide a detailed listing of all calls, products and services ordered during a month.

Claims 18-23 recite well-known features found in a telephone operating system and method. Including these well known in features in the combined teachings above would have been obvious to one of ordinary skill in the art at the time the invention was made in order to quickly process and review a service order and also in order to identify product and services ordered by a customer.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (703) 308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP
July 24, 2003

FTomul
FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628